

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**FRANKLIN CONSTRUCTION GROUP, LLC,**

Plaintiff,

v.

**WILLIAM SHORE, JWSC, LLC, KEITH MEADOWS,  
JOSEPH HEATH, HYDS INC., DEAN BINGHAM,  
LUNDON JOHNSON, TYLER WEBER,  
JOEL CHEVRETTE, DANNY KNOWLES, SCOTT  
MATTHEWS and LOWE'S HOME CENTERS, LLC**

Defendants.

Case No. 3:24-cv-01255

District Judge Crenshaw  
Magistrate Judge Frensey

**JURY DEMAND**

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**DEFENDANT JOEL CHEVRETTE'S MOTION TO DISMISS**

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Comes now Defendant, Joel Chevette ("Chevette"), by and through the undersigned counsel, pursuant to Rule 12(b)(2) of the *Federal Rules of Civil Procedure* and applicable law, hereby files with the Court his Motion to Dismiss as follows:

1. Plaintiff, Franklin Construction Group, LLC ("FCG"), filed its Complaint [Doc. 1] against Chevette and other defendants on October 21, 2024.

2. In its Complaint, FCG seeks damages for what is alleged to be an elaborate fraud scheme, concocted by Defendant William Shore ("Shore"), to defraud FCG out of millions of dollars. (see generally, *Complaint*).

3. Moreover, Plaintiff alleges that Shore conspired with Defendants to funnel money from FCG to himself and that the "Lowe's Individual Defendants," which allegedly includes Chevette, were complicit in artificially inflating the price of materials and diverting materials to

Shore's side projects, all while invoicing FCG for the same. (*Complaint*, ¶ 2-5).

4. FCG's Complaint includes various claims and causes of action, to include but not limited to alleged violations of the Racketeer Influenced and Corrupt Organizations Act ("RICO"), conspiracy, fraud, violations of the Tennessee Consumer Protection Act ("TCPA") and conversion. (see *Complaint*, Counts I, II, IX, X and XI).

5. However, FCG's Complaint against Chevrette must be dismissed for lack of personal jurisdiction.

6. At all material times, Chevrette was – and still is for that matter – a citizen and resident of Waxhaw, Union County, North Carolina. (*Declaration of Joel Chevrette*, ¶ 4).

7. More particularly, at the time of the alleged events giving rise to this litigation, Chevrette was employed by Lowe's as a Pro Supply Sales Manager and he worked out of the Charolette, North Carolina market. (*Declaration of Joel Chevrette*, ¶ 5).

8. Chevrette did not call on or solicit business from customers in Tennessee and FCG was never a customer or account assigned to him. (*Declaration of Joel Chevrette*, ¶ 10, 12).

9. Despite the broad and conclusory allegations in the Complaint, Chevrette had no business dealings with FCG. (*Declaration of Joel Chevrette*, ¶ 12).

10. More importantly, during his time as a Pro Sales Manager for Lowe's, Chevrette did not travel to Tennessee nor conduct any business in Tennessee. (*Declaration of Joel Chevrette*, ¶ 8, 9).

11. In fact, during the timeframe of the events alleged in the Complaint, Chevrette had only been to the State of Tennessee one time and it was for a family vacation to Gatlinburg. (*Declaration of Joel Chevrette*, ¶ 11).

12. As such, Chevrette has no minimum contacts with the State of Tennessee sufficient enough for this Court to exercise jurisdiction over him in this action. Moreover, Chevrette has not purposefully availed himself to the privileges of the State of Tennessee and FCG's claims asserted in this matter do not arise out of any forum-related activity or conduct on the part of Chevrette.

13. Accordingly, the exercise of jurisdiction over Chevrette would not comport with the notions of fair play and substantial justice and the Complaint against him should be dismissed.

14. In further support of this Motion, Defendant Chevrette contemporaneously files his Declaration, attached hereto as **Exhibit 1**, and his Brief and Memorandum of Law and adopts and incorporates the same herein by reference pursuant to Rule 10(c) of the *Federal Rules of Civil Procedure*.

**WHEREFORE**, premises considered, pursuant to the authority set forth herein and in the accompanying memorandum, Defendant Chevrette prays that the instant Motion to Dismiss be granted and that Plaintiff's Complaint against him be dismissed with prejudice.

Respectfully submitted,

**SPICER RUDSTROM, PLLC**

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed this document along with any exhibits with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

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This 15<sup>th</sup> day of January 2025.

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